

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1357-01  
Bill No.: HB 428  
Subject: Natural Resources Dept.; Licenses - Misc.; Engineers; Environmental Protection  
Type: Original  
Date: March 15, 2011

---

Bill Summary: This proposal requires facilities plans submitted to DNR as part of the permitting process for all environmental programs to be certified by professional engineers.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Office of Administration, Department of Transportation, Department of Conservation, Department of Natural Resources and Department of Corrections** assume there will be no fiscal impact to their agencies.

<u>FISCAL IMPACT - State Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
---	---------------------	---------	---------

	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
--	------------	------------	------------

<u>FISCAL IMPACT - Local Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
---	---------------------	---------	---------

	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
--	------------	------------	------------

### FISCAL IMPACT - Small Business

Possibly. Depending on the definition of “facility plans” this could cause small businesses to hire a contractor or licensed Professional Engineer (P.E.) to sign documents submitted to the Department. Currently, many small businesses use in-house staff, most are not P.E.s, to prepare their own documents and submit to the Department for review.

### Hazardous Waste Program

Some applicants for resource recovery certificates are small businesses and currently their applications do not require the seal of a professional engineer. If the term “facility plans” is interpreted to include resource recovery certificate applications, this could result in additional expenses for these facilities to have the application sealed by a P.E. These have to be reissued every couple years and could cost an additional \$1000 to \$2000 per submission in order to obtain the services of a licensed professional engineer. The application fee itself is only \$500 or \$1000 so the additional expense necessary to get the seal of a P.E. would add a significant amount to the cost of obtaining a certification. This would not apply if the term “facility plans” does not

FISCAL IMPACT - Small Business (continued)

include applications for resource recovery certifications so we are unsure if this impact would result or not.

Land Reclamation Program

This is not a current requirement non coal mining permits. Applicants may have a significant problem with this proposal as it would add a great deal to the cost of preparing a non coal surface mining permit application. Very few of the mining companies do this today. The smaller mining companies would have to outsource the preparation of their permit applications to Professional Engineers and, of course, this would increase their costs to a significant degree.

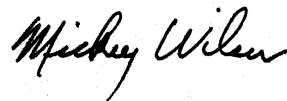
FISCAL DESCRIPTION

The proposed legislation appears to have no fiscal impact.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of Administration  
Department of Natural Resources  
Department of Transportation  
Department of Conservation  
Department of Corrections



Mickey Wilson, CPA

L.R. No. 1357-01  
Bill No. HB 428  
Page 5 of 5  
March 15, 2011

Director  
March 15, 2011

VL:LR:OD (12/02)